

~~PROPOSED~~ ORDER/COVER SHEET

TO: Honorable Wayne D. Brazil
U.S. Magistrate Judge

FILED

JAN 22 2008

RE: Bobbie Ray Alexander

FROM: Claudette M. Silvera, Chief
U.S. Pretrial Services Officer

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DOCKET NO.: CR07-00488-*CW*

THE ATTACHED MEMORANDUM WAS PREPARED BY PRETRIAL SERVICES OFFICER:

Hence Williams III
U.S. Pretrial Services Officer

510-637-3755
TELEPHONE NUMBER

RE: MODIFICATION OF CONDITIONS (OR INFORMATION/VIOLATION)

We are requesting direction from the Court. Please initial the appropriate box(es), and return this form to us so that we may comply with your instructions.

- I have reviewed the information that you have supplied. I do not believe that this matter requires any action by this Court at this time.
 - Inform all parties concerned that I will conduct a Bail Review Hearing in Courtroom No. _____ on _____ at _____.
 - Inform all parties concerned that a Bail Review Hearing will be conducted by: Magistrate Judge _____ Presiding District Court Judge _____
 - I agree with the recommendation of the Pretrial Services Officer and hereby modify the defendant's Pretrial Release conditions as indicated below:
- Modification(s)
- A. *Participate fully in residential drug treatment.* *URDB*
- B.
- Bail Revoked/Bench Warrant Issued.
- I am returning the signed order and direct that a copy be provided to the Court file and all interested parties(AUSA and Defense Counsel).
- Other Instructions:

Wayne D. Brazil
JUDICIAL OFFICER

DATE

1/22/08

Cover Sheet (12/03/02)

cc: WOP's Stats Copy to parties via ECF
Pretrial, Financial, Sheriffs

To: Honorable Wayne D. Brazil
U.S. Magistrate Judge

From: Hence Williams III
U.S. Pretrial Services Officer

Subject: Bobbie Ray Alexander
CR07-00488 CW

Date: January 22, 2008



MEMORANDUM

Your Honor:

Bobbie Alexander is one of 11 defendants charged in an Indictment with a violation of Title 18, United States Code, Section 1028(f)- Conspiracy to Unlawfully Transfer or Use a Means of Identification of Another.

Mr. Alexander initially appeared before Your Honor on September 5, 2007, charged with the instant offense. At that time, Mr. Alexander waived his right to a detention hearing as he was serving a state prison sentence for violating his parole. He was remanded to the custody of the United States Marshals pending his next court date. On January 3, 2008, the defendant appeared before Your Honor for bond signing. On this date, the defendant was released on a \$100,000 unsecured bond, with the following special conditions of release:

1. The defendant shall report to Pretrial Services as directed;
2. The defendant's travel is restricted to the Northern District of California;
3. The defendant shall surrender any passports in his possession as soon as possible and shall not apply for any new passports or other travel documents;
4. The defendant shall participate in drug/mental health/alcohol counseling, and submit to drug/ alcohol testing, as directed by Pretrial Services;
5. The defendant shall not possess any firearms, destructive devices or any other dangerous weapons;
6. The defendant shall maintain current employment or if unemployed, shall seek and maintain verifiable employment;
7. The defendant shall submit to cyber monitoring as deemed appropriate by Pretrial Services
8. The defendant shall have no contact with any co-defendants outside of the presence of defense counsel;
9. The defendant shall not change residence without prior approval of Pretrial Services; and
10. The defendant shall not have any contact with minors unless in the presence of an adult.

On January 4, 2008, Mr. Alexander reported that since his release from San Quentin State Prison on December 19, 2007, he had used cocaine, methamphetamine, and marijuana. On that same date, the defendant's urinalysis screen came back positive for methamphetamine and marijuana. On January 11, 2008, this officer directed Mr.

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MEMORANDUM TO THE HONORABLE WAYNE D. BRAZIL, U.S. MAGISTRATE JUDGE

RE: Alexander, Bobbie

CASE #:CR07-00488

Alexander to report to the office and submit a urine sample. Mr. Alexander stated he did not have any transportation and could not report as directed. Upon further questioning, Mr. Alexander stated he had been continuing to use methamphetamine since his initial drug screen. On January 14, 2008, Mr. Alexander reported to this officer and admitted to using methamphetamine earlier that same morning. The defendant admitted that he believes he has a drug problem, and is willing to go into an inpatient program for treatment.

1/11/08

On January 15, 2008, this officer submitted a referral to New Bridge Foundation (residential treatment program), requesting that an assessment be conducted on Mr. Alexander. At this time Pretrial Services is awaiting a response regarding the defendant's placement in the program.

This officer has spoken with Defense Counsel, Garrick Lew, and Assistant United States Attorney Keslie Stewart, and both parties are in agreement with Pretrial Services recommendation.

RECOMMENDATION: In light of the above information, Pretrial Services respectfully recommends that defendant's bond should be amended to include the following condition of release:

1. The defendant shall participate in an inpatient drug treatment program as directed by Pretrial Services. The defendant must follow the rules and regulations of the program at all times.

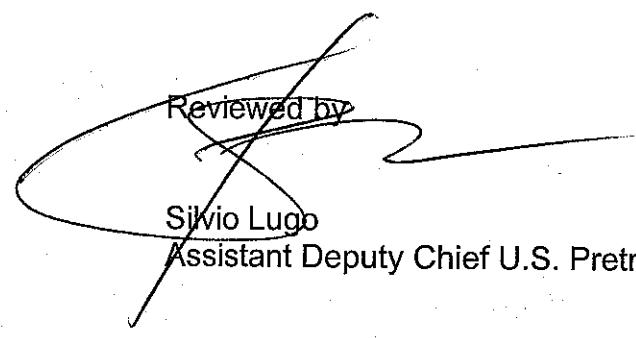
This memorandum is submitted for Your Honor's review and direction.

Respectfully submitted,



Hence Williams III
U.S. Pretrial Services Officer

Reviewed by



Sikvio Lugo

Assistant Deputy Chief U.S. Pretrial Services Officer